

Benjamin
Elacqua/HO/WGM/US
05/03/2007 12:41 PM

To <gjanik@McKoolSmith.com>
cc
bcc
Subject Re: CAC/Microsoft - Vista code 

Glenn,

Please see attached response to your May 1st letter. As previously stated, the code will be made available as of Friday.

Thanks,

Ben



05 03 07 Let to G. Janik.pdf

Benjamin C. Elacqua
Weil, Gotshal & Manges LLP
700 Louisiana, Suite 1600
Houston, TX 77002
(713) 546-5024
(713) 224-9511 (fax)
benjamin.elacqua@weil.com

<gjanik@McKoolSmith.com>



<gjanik@McKoolSmith.com>
05/03/2007 09:43 AM

To <Benjamin.Elacqua@weil.com>
cc
Subject CAC/Microsoft - Vista code

Was our May 1st letter acceptable?

Glenn Janik
McKool Smith, P.C.
300 Crescent Court, Suite 1500
Dallas, Texas 75201
214.978.4933
214.978.4044 (fax)

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WEIL, GOTSHAL & MANGES LLP

700 LOUISIANA
SUITE 1600
HOUSTON, TEXAS 77002
(713) 546-5000
FAX: (713) 224-9511

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WRITER'S DIRECT LINE

713-546-5024
benjamin.elacqua@weil.com

May 3, 2007

Via Email

Mr. Glenn E. Janik
McKool Smith, PC
300 Crescent Court, Suite 1500
Dallas, Texas 75201

Re: Case No. 9:06cv140, *Computer Acceleration Corporation v. Microsoft Corporation*

Dear Glenn:

I am writing in response to your May 1, 2007 letter regarding the production of Windows Vista source code.

Microsoft agrees to produce the agreed upon Windows Vista source code consistent with CAC's obligation to provide a Windows Vista claim chart 45 days after the source code is produced.

Microsoft understands CAC's position that the Windows Vista claim chart is not intended to be an amendment of CAC's P.R. 3-1 infringement contentions. However, to the extent the Windows Vista infringement claim chart goes outside of CAC's P.R. 3-1 infringement contentions, Microsoft reserves the right to object to the claim chart as being an unauthorized amendment.

Best regards,



Benjamin C. Elacqua

cc: John Campbell
McKool Smith